

Judgment rendered August 26, 2026.
Application for rehearing may be filed
within the delay allowed by Art. 922,
La. C. Cr. P.

No. 56,822-KA

COURT OF APPEAL
SECOND CIRCUIT
STATE OF LOUISIANA

* * * * *

STATE OF LOUISIANA	Appellee
versus	
BRUCE CAUSEY	Appellant

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Appealed from the
Third Judicial District Court for the
Parish of Union, Louisiana
Trial Court No. 2023-F-61330

Honorable Bruce Edward Hampton, Judge

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LOUISIANA APPEALS AND WRIT SERVICE By: Remy V. Starns Sherry Watters Michael A. Mitchell	Counsel for Appellant
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JOHN FITZGERALD BELTON District Attorney	Counsel for Appellee
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TRACY WAYNE HOUCK
Assistant District Attorney

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Before COX, STEPHENS, and HUNTER, JJ.

COX, J.

This criminal appeal arises from the Third Judicial District Court, Union Parish, Louisiana, the Honorable Bruce Edward Hampton presiding. Defendant, Bruce Causey (“Causey”), was found guilty of manslaughter, in violation of La. R.S. 14:31 (count one), and simple escape, in violation of La. R.S. 14:110(A)(2) (count two). For the following reasons, we affirm Causey’s convictions, affirm his sentence as to count one, and vacate and remand his sentence as to count two in accordance with this opinion.

FACTS & PROCEDURAL HISTORY

On April 21, 2022, officers from Union Parish Sheriff’s Office (“UPSO”) were contacted regarding a stabbing between two employees at Foster Farms Poultry facility (“Foster Farms”). Officers later learned that the victim, Ketrick Calhoun (“Calhoun”), had been stabbed multiple times by Causey, who fled following the incident. While searching for Causey, officers were notified on January 3, 2023, that Causey had been arrested in Pearland, Texas; he was later extradited to Union Parish.

On August 15, 2023, Causey was then formally charged by bill of indictment with second degree murder, in violation of La. R.S. 14:30.1 (count one); aggravated escape, in violation of La. R.S. 14:110(C)(1) (count two); obstruction of justice, in violation of La. R.S. 14:130.1(A)(1)(a) (count three); and simple escape, in violation of La. R.S. 14:110(A)(2) (count four). During the course of litigation, counts three and four were dismissed.

On December 5, 2023, defense counsel filed a motion in limine. Defense counsel sought to introduce evidence of Calhoun’s character and criminal record and convictions. The State filed a response and objection to the motion, arguing that such evidence was only admissible (1) to show that

the defendant had a reasonable apprehension of danger which would justify his conduct, and (2) to determine the aggressor in the conflict. The State asserted that evidence pertaining to a decedent's character or of threats made may be admitted if a defendant first produces evidence that the decedent made a hostile demonstration or overt act toward the defendant at the time of the incident. The State argued there was no sufficient evidence to establish that Calhoun made a hostile display, threat, or other overt act toward Causey which would have caused a reasonable person to believe their life was in danger. The State acknowledged that several witnesses reported Calhoun and Causey argued prior to the incident but noted that none of the witnesses reported that Calhoun threatened or made a hostile act toward Causey.

An evidentiary hearing was held to address the motion in limine, wherein Dondrakus Williams ("Williams") testified. Williams stated that he worked at Foster Farms with Causey when the incident occurred. Williams admitted he did not witness the incident when it occurred but stated that he saw the events which led to it. Williams testified that Causey and Calhoun had problems prior to the incident, and Causey would report the issues to their supervisor, who only informed Causey to let the matter go because his work release program would end soon.

Williams stated that on the day of the incident, Calhoun approached Causey during their break, made threats to kill Causey and Causey's family, and made statements for Causey to "suck his private parts." On cross-examination, Williams testified that he did not see Calhoun with a weapon, make threatening gestures, or make any physical advances toward Causey. Williams also clarified that this interaction occurred approximately two

hours before the incident. Following the hearing, the trial court denied defense's motion.

A jury trial was held on January 27, 2025, wherein the following testimony was presented:

First, Detective Mike Bryan ("Det. Bryan") of the UPSO testified that on August 21, 2022, he was dispatched to Foster Farms regarding a stabbing between two employees. Det. Bryan testified that when he arrived, he saw several puddles of blood on the floor and learned Calhoun had been stabbed in what was known as the "kill area." Det. Bryan stated that he was given a recording of the surveillance footage from the area in which he observed Calhoun, who appeared to be fleeing, slip and fall before Causey approached him.

Det. Bryan stated that he saw Causey kick Calhoun at least once before he stabbed Calhoun multiple times before another employee shoved Causey away from Calhoun. He stated that Causey could then be seen leaving with a knife in his hand. On cross-examination, Det. Bryan admitted that from the portion of the video he was given, he could not see what occurred before the incident began. Det. Bryan also admitted that while he was aware Foster Farms had surveillance cameras throughout the facility, he was unaware of exactly how many cameras were in the area where the incident took place, or where they were located.

Next, Detective Earl Roberts ("Det. Roberts") testified that he also reviewed the surveillance footage of the incident. In describing the video, Det. Roberts stated that Calhoun could be seen going behind an enclosure before Causey came into frame. Calhoun then began to run as Causey chased after him until Calhoun slipped and fell. Det. Roberts stated that a

knife could be seen in Causey's hand, and that Causey stabbed Calhoun several times while Calhoun was on the floor. Det. Roberts acknowledged that the video of the incident was brief, and that it did not capture any events prior. Det. Roberts testified that he interviewed four witnesses about the event and learned that prior to the incident, Causey and Calhoun were each at their respective workstations; however, Calhoun left his station and approached Causey, who worked on bone removal, to complain that too many bones were left in the product, which slowed down production.

Scott Barton ("Barton"), the health, safety, and security manager for Foster Farms, testified that on April 12, 2022, he received a call that someone had been injured in the deboning area of the facility. Barton stated that when he got to the area, he noticed the victim was nonresponsive and had multiple wounds, so he and a nurse administered CPR until paramedics arrived. Barton stated that he provided officers with a copy of the video surveillance from that area and reviewed the video himself. In describing the incident, Barton testified that he saw one employee chase another before another fell and was stabbed multiple times. Barton stated that there were two cameras in that area, and to his knowledge, he provided officers with all relevant portions of the video and that the video was not altered in any way. However, on cross-examination, Barton admitted that there could have been gaps in the video coverage.

Comnalesa Jones ("Jones"), an employee of Foster Farms, testified that she knew both Calhoun and Causey because they both worked in the deboning area with her. Jones explained that she and Causey were tasked with deboning and that Calhoun worked at the X-ray station, which required him to ensure that the product sent from deboning was free from bones and

bone fragments. Jones testified that on the day of the incident, Calhoun had been upset with Causey because too much of the product contained bones or bone fragments, which slowed down production and gave Calhoun extra work. Jones stated that this issue continued for about one to two days.

Jones stated that because of this, Calhoun blamed Causey for slowing down production. She explained that employees are to report any issues to supervisors; however, Calhoun approached Causey directly¹ and accused him of sending too much of the product with bones left in. Jones stated that after this, she saw Calhoun walk away, and Causey quickly followed behind. Jones stated that when she looked again, she saw Calhoun running before he slipped on a water hose, and Causey come behind Calhoun and begin to stab him multiple times. Jones stated that she did not see Calhoun with a weapon in his hand, and that when Calhoun walked away from Causey, he did not walk in the direction where any knives would have been.

Wilbert Brown (“Brown”), a supervisor at Foster Farms, testified that he worked with both Calhoun and Causey. Brown explained that although Calhoun worked in the X-ray station, he was also tasked with deboning and trimming. Brown stated that he was aware of the disagreements Calhoun and Causey had prior to the incident, but explained that they came to him, and those issues would be resolved, so that he was unaware of any other issues that the two may have had unrelated to work. Brown explained that on the day of the incident, he saw Calhoun run by while holding his face before he tripped and fell. He stated that Causey came up behind Calhoun and stabbed Calhoun several times. Brown stated that he saw that Calhoun

¹ Jones stated that at that time, Calhoun had a tub of the chicken product in his hand when he approached Causey.

held his arms up in self-defense and noted that he did not see Calhoun with a weapon of any kind. Brown admitted that after the incident, he told Causey to leave the area before he called for help.

On cross-examination, Brown testified that Calhoun reported issues he had with bones being left in the product but could not recall whether Causey made any reports about issues he had with Calhoun prior to the incident, and that he was unaware if any threats had been made toward Causey. Brown clarified that the direction Calhoun ran toward was not an area that would have had knives.

Dr. Frank Peretti (“Dr. Peretti”), a forensic pathologist, testified that he performed Calhoun’s autopsy. He concluded that the cause of death was 10 “shock force injuries” and a fatal stab wound. Dr. Peretti explained that shock force injuries are long cuts that are not deep as compared to typical stab wounds, which are deeper but not long. Dr. Peretti noted Calhoun had several superficial wounds on his body but there was one fatal stab wound that entered the right lung and root of the aorta, which caused Calhoun to lose blood quickly. Dr. Peretti testified that the superficial wounds he observed on the body were typically associated with defensive wounds.

At the close of the State’s witnesses, defense counsel presented the following relevant testimony:

First, Causey testified on his behalf. He stated that he worked at Foster Farms as part of an inmate work release program. Causey explained that he knew Calhoun because they both worked in the same deboning area of the facility.² In explaining the events leading to the incident, Causey

² Causey initially testified that Calhoun sexually assaulted him; however, the State objected to the line of testimony. The trial court determined that Causey’s testimony was

testified that during his lunch break, Calhoun approached him regarding the bones and bone fragments left behind in the product. Causey stated he was unsure why Calhoun only approached him because there were at least eight other employees who worked on the same deboning station that he did.

Causey stated he told Calhoun he did not want to start trouble because he only had 19 days left of his work release program and wanted to be able to see his family. Causey stated that, in response, Calhoun told him, “Man, you don’t—f*** you, f*** your family,” and “you can suck my d***.”

Causey stated that he felt defeated after the interaction, reported the incident to a head supervisor, and requested to be moved to a different area or station. In testifying about the surveillance video, Causey stated that his workstation could not be seen on the video, so that the beginning of the altercation was not captured.

Causey testified that before the beginning of what the video captured, Calhoun had approached his workstation after their lunch break, and continued to threaten him, stating, “I’ll make you suck Monday,” and “I’ll kill, I’ll kill your family. I don’t care about none of your people.” Causey stated that Calhoun attacked him and continued to threaten him. Causey stated he tried to defend himself, describing the altercation as “tussling for his life” because Calhoun was bigger than him and was unafraid to attack him even though he (Causey) was holding a knife. Causey stated that he stopped Calhoun from taking the knife out of his hand but was worried Calhoun would either retrieve the knife from his own station or get a knife from somewhere else and use it to kill him.

inadmissible under La. C.E. arts. 404(B)(1) and/or 412. Causey’s testimony regarding this matter was thereafter stricken from the record.

Causey testified that he left the facility after the incident because he was afraid and Brown told him to leave. He also stated that he left the knife in the building. On cross-examination, Causey explained that he believed Calhoun ran from him to retrieve a weapon, not to retreat. Causey stated he knew that there were several weapons throughout the facility, and that the area where the incident occurred had knives from the deboning process. Causey admitted that he attacked Calhoun and stabbed him twice; however, he explained that he only did so to stop Calhoun from getting a weapon, and that he had no intention of killing Calhoun.

At the conclusion of the proceedings, defense counsel requested a proffer of Causey's testimony as it related to the past sexual assault initially alleged during trial. The trial court requested both parties brief the issue and that the matter would be ruled on during sentencing. The State filed a "Response and Objection to Defendant's Request to Proffer Testimony"; however, the trial record reflects defense counsel did not file a brief concerning the matter.

On January 30, 2025, Causey was found guilty of manslaughter in response to count one, and guilty of simple escape in response to count two. On April 15, 2025, Causey was sentenced to 40 years' imprisonment at hard labor as to count one, and five-years' imprisonment at hard labor for count two. This appeal followed.

DISCUSSION

Assignment of Error 1: Sufficiency of the Evidence

Causey first argues that the State was responsible for proving beyond a reasonable doubt he did not act in self-defense. Causey asserts he had the right to stand his ground on the day of the incident because he was in a place

where he lawfully had a right to be when Calhoun physically confronted him and made threats against his life. Moreover, Causey argues Calhoun made threats against his life prior to and during the incident, assaulted him, and had access to weapons from within the facility and outside of it. Causey further highlights that several witnesses testified to the ongoing arguments between him and Calhoun and agreed that Calhoun was the aggressor in the current incident.

Given the history between them, Causey maintains that a person in his position would have reasonably believed that he was in danger of losing their life or facing imminent harm.

The standard of appellate review for a sufficiency of the evidence claim is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979); *State v. Stockstill*, 19-01235 (La. 10/1/20), 341 So. 3d 502. This standard, now legislatively embodied in La. C. Cr. P. art. 821, does not provide the appellate court with a vehicle to substitute its own appreciation of the evidence for that of the factfinder. *State v. Bourgeois*, 20-00883 (La. 5/13/21), 320 So. 3d 1047; *State v. Combs*, 56,232 (La. App. 2 Cir. 4/9/25), 410 So. 3d 405, *writ not cons.*, 25-01108 (La. 2/3/26), 425 So. 3d 838.

The trier of fact makes credibility determinations and may, within the bounds of rationality, accept or reject the testimony of any witness, in whole or in part. *State v. Brown*, 18-01999 (La. 9/30/21), 330 So. 3d 199; *State v. Morehead*, 55,825 (La. App. 2 Cir. 10/23/24), 400 So. 3d 302, *writ denied*, 24-01434 (La. 2/19/25), 400 So. 3d 932. The appellate court does not assess

credibility or reweigh evidence. *State v. Kelly*, 15-0484 (La. 6/29/16), 195 So. 3d 449; *State v. Morehead, supra*. A reviewing court accords great deference to the trier of fact's decision to accept or reject the testimony of a witness in whole or in part. *State v. Robinson*, 02-1869 (La. 4/14/04), 874 So. 2d 66; *State v. Morehead, supra*. La. R.S. 14:31 provides, in pertinent part:

A. Manslaughter is:

(1) A homicide which would be murder under either Article 30 (first degree murder) or Article 30.1 (second degree murder), but the offense is committed in sudden passion or heat of blood immediately caused by provocation sufficient to deprive an average person of his self-control and cool reflection. Provocation shall not reduce a homicide to manslaughter if the jury finds that the offender's blood had actually cooled, or that an average person's blood would have cooled, at the time the offense was committed; or

(2) A homicide committed, without any intent to cause death or great bodily harm.

A homicide is justifiable when it is committed in self-defense by one who reasonably believes he is in imminent danger of losing his life or receiving great bodily harm and the killing is necessary to save himself from that danger. La. R.S. 14:20(A)(1). When self-defense is raised as an issue by the defendant, the State has the burden to prove beyond a reasonable doubt the defendant did not act in self-defense. La. C. Cr. P. art. 390(A); *State v. Stockstill, supra*; *State v. Morehead, supra*. The critical issue is whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found beyond a reasonable doubt the homicide was not committed in self-defense. *Id.*, citing *State v. Matthews*, 464 So. 2d 298 (La. 1985).

Factors to consider determining whether a defendant had a reasonable belief the killing was necessary include the excitement and confusion of the situation, the possibility of using force or violence short of killing, and the defendant's knowledge of the assailant's bad character. *State v. Wells*, 14-1701 (La. 12/8/15), 209 So. 3d 709; *State v. Johnson*, 56,683 (La. App. 2 Cir. 12/17/25), 425 So. 3d 983; *State v. Crow*, 52,817 (La. App. 2 Cir. 6/26/19), 278 So. 3d 416. Although there is no unqualified duty to retreat, the possibility of escape is a factor to consider in determining whether a defendant had a reasonable belief that the use of deadly force was necessary to avoid the danger. *State v. Wilkins*, 13-2539 (La. 1/15/14), 131 So. 3d 839.

In viewing the evidence in the light most favorable to the prosecution, we find that there was sufficient evidence to support the jury's unanimous conclusion to return a verdict for manslaughter.

The evidence in the present case reflects, and Causey admits, that he stabbed Calhoun at least twice following a confrontation at his workstation. Causey has maintained that he did so only because he feared Calhoun would retaliate further after the physical confrontation, by retrieving a weapon and killing him. Causey testified about several past incidents in which Calhoun threatened him and noted that they worked in an area with knives and other dangerous objects.

The jury's verdict of manslaughter rather than second degree murder reflects that the jury, at the very least, found that Causey's actions were done in response to Calhoun confronting and attacking him at his workstation. However, it is apparent the jury did not find that Causey's actions were committed in self-defense, which is further supported by the evidence and testimony presented at trial. We note that video surveillance of the deboning

area showed that Calhoun ran away from Causey, Calhoun fell, Causey then proceeded to stab Calhoun multiple times while Calhoun was on the ground without a weapon on his person.

Based on the surveillance video and witness testimony, a reasonable jury could find that the State proved that Causey's actions were not done in self-defense. In the moment in which Calhoun fell with no weapon on his person, the jury reasonably found that Causey did not act in self-defense. We give great deference to the jury's finding of fact and will not substitute our own appreciation of the evidence for that of the jury. For these reasons, we find that this assignment of error lacks merit.

Assignment of Error 2: Right to Present a Defense

By his second assignment of error, Causey argues that the trial court deprived him of his right to present a defense when it excluded evidence of Calhoun's criminal history, character, testimony regarding past threats, and potential acts of sexual abuse in support of his plea of self-defense to reflect his state of mind when Calhoun approached him. Causey contends that the testimony presented about past threats toward him and his family, as well as a history of arguments and disputes prior to and leading up to the incident, were sufficient evidence of an overt act or hostile demonstration.

Both the Sixth Amendment of the United States Constitution and Article I, § 16 of the Louisiana Constitution guarantee a criminal defendant the right to present a defense. *State v. Van Winkle*, 94-0947 (La. 6/30/95), 658 So. 2d 198. However, this right does not require the trial court to permit the introduction of evidence that is irrelevant or has so little probative value that it is substantially outweighed by other legitimate considerations in the administration of justice. La. C.E. art. 403; *State v. Mosby*, 595 So. 2d 1135

(La. 1992); *State v. Johnson*, 41,428 (La. App. 2 Cir. 9/27/06), 940 So. 2d 711, *writ denied*, 06-2615 (La. 5/18/07), 957 So. 2d 150. La. C.E. art. 404 provides, in pertinent part:

A. Character evidence generally. Evidence of a person's character or a trait of his character, such as a moral quality, is not admissible in a civil or criminal proceeding for the purpose of proving that he acted in conformity therewith on a particular occasion, except:

* * *

(2) Character of victim. (a) Except as provided in Article 412, evidence of a pertinent trait of character, such as a moral quality, of the victim of the crime offered by an accused, or by the prosecution to rebut the character evidence; provided that in the absence of evidence of a hostile demonstration or an overt act on the part of the victim at the time of the offense charged, evidence of his dangerous character is not admissible; provided further that when the accused pleads self-defense and there is a history of assaultive behavior between the victim and the accused and the accused lived in a familial or intimate relationship such as, but not limited to, the husband-wife, parent-child, or concubinage relationship, it shall not be necessary to first show a hostile demonstration or overt act on the part of the victim in order to introduce evidence of the dangerous character of the victim, including specific instances of conduct and domestic violence; and further provided that an expert's opinion as to the effects of the prior assaultive acts on the accused's state of mind is admissible. . .

* * *

B. Other crimes, wrongs, or acts; creative or artistic expression. (1)(a) Except as provided in Article 412 or as otherwise provided by law, evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show that he acted in conformity therewith. It may, however, be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake or accident, provided that upon request by the accused, the prosecution in a criminal case shall provide reasonable notice in advance of trial, of the nature of any such evidence it intends to introduce at trial for such purposes, or when it relates to conduct that constitutes an integral part of the act or transaction that is the subject of the present proceeding.

Although evidence of a person's character or a trait of his character is generally inadmissible for the purpose of proving that he acted in conformity therewith on a particular occasion, it may be introduced to support a plea of

self-defense. *See* La. C.E. art. 404(A)(1)(a); *State v. Burton*, 19-01079 (La. 6/30/21), 320 So. 3d 1117. In such circumstances, a defendant is entitled to introduce evidence of the decedent's prior threats or violent character "for two distinct purposes: (1) to show a defendant's reasonable apprehension of danger which would justify his conduct; and (2) to help determine who was the aggressor in the conflict." *State v. Burton, supra, citing State v. Lee*, 331 So. 2d 455 (La. 1975).

Evidence of the decedent's dangerous character or of his threats against the accused may be admissible in support of his plea of self-defense, provided that the accused *first* produces evidence that the decedent made a hostile demonstration or overt act against the accused at the time of the incident. *Id.* An overt act is any act of the deceased that manifests to the mind of a reasonable person a present intention on his part to kill defendant or do him great bodily harm. La. C. E. art. 404; *State v. Johnson*, 41,428 (La. App. 2 Cir. 9/27/06), 940 So. 2d 711. Moreover, evidence tending to establish an overt act must be "appreciable." *Id.*

A defendant's unsupported, self-serving testimony which is sufficiently contradicted by other evidence does not constitute appreciable evidence of an overt act or hostile demonstration on the part of the victim. *State v. Kennell*, 54,577 (La. App. 2 Cir. 6/29/22), 342 So. 3d 437. When appreciable evidence of the overt act is presented, the trial court cannot infringe on the fact-finding function of the jury by disbelieving the defense testimony and thereby deny the accused a defense permitted to him by law. *Id.* Thus, the threshold inquiry is whether the defendant presented evidence of a "hostile demonstration or an overt act on the part of the victim."

Causey argues that the trial court unfairly restricted his ability to present his claim for self-defense. However, the record reflects that Causey testified about his ongoing disputes with Calhoun, the threats Calhoun made toward Causey and Causey's family, how those threats made Causey feel, and Calhoun's ability to access weapons both within and outside of Foster Farms. We further note that Causey also testified about threats Calhoun made hours before the incident, and that Calhoun attacked Causey at his (Causey's) workstation, with Causey describing the incident as "tussling for his life." Although Causey presented this testimony without any restriction to the jury, he maintains that the trial court should not have prohibited his testimony regarding the potential sexual assault and Calhoun's criminal background.

We disagree and reiterate that the threshold inquiry for the introduction of such evidence is whether the defendant presented evidence of a *"hostile demonstration or an overt act on the part of the victim"* at the time of the incident and note that a defendant's unsupported, self-serving testimony which is sufficiently contradicted by other evidence does not constitute "appreciable evidence" of an overt act or hostile demonstration on the part of the victim. Absent Causey's own self-serving testimony that Calhoun attacked him at the workstation, there is no other evidence to show an overt act by Calhoun at the time of the incident.

Although Causey argues that both Jones and Brown were aware of the ongoing disputes he had with Calhoun, Jones testified that on the day of the incident, she saw Calhoun approach Causey at the workstation but clarified that Calhoun was unarmed and walked away from Causey. At no point did Jones testify that Calhoun made threatening gestures or movements toward

Causey during this time. Similarly, Brown testified that he witnessed an unarmed Calhoun holding his face as he ran away from Causey before he fell and Causey stabbed him. We acknowledge Williams' testimony during the evidentiary hearing confirmed that Calhoun threatened Causey.

Williams admitted this interaction occurred two hours before the incident, that he did not think the interaction was serious, and that he could not testify to the argument had at the workstation or what happened thereafter.

Importantly, Causey testified to this same information at trial without restriction.

In *State v. Williams*, 56,776 (La. App. 2 Cir. 2/25/26), 430 So. 3d 682, the defendant similarly argued that the trial court erred in prohibiting him from admitting evidence of the decedent's criminal history, character, and evidence of potential sexual assault to establish his reasonable subjective fear of the decedent. This Court found that the defendant failed to present appreciable evidence that the decedent made a hostile demonstration or overt act against him that would allow him to introduce such evidence. This Court noted that the only evidence available to prove a hostile demonstration or overt act was the defendant's unsupported and self-serving statement that the decedent ran toward him. We further noted that the decedent was unarmed.

Accordingly, this Court concluded the defendant could not introduce evidence of the decedent's behavior because he failed to demonstrate that the decedent made a hostile demonstration or overt act against him at the time of the incident.

In the present case, no witness testified that Calhoun either attacked or made threatening gestures or movements toward Causey at the time of the incident. Further, no weapon was found on Calhoun's person or near him.

The only evidence which purports to show an overt act by Calhoun at the time of the incident is Causey's own self-serving statement that Calhoun attacked Causey at the workstation shortly before the stabbing occurred. These statements alone do not constitute "appreciable evidence" of an overt act under La. C.E. art. 404(B)(2) which would warrant the introduction of testimony about prior abuse.

Moreover, the jury returned a lesser verdict of manslaughter rather than second degree murder. This responsive verdict confirms that the jury, despite the excluded testimony regarding the potential abuse, carefully considered all admissible evidence which supported Causey's theory of self-defense, including his history with Calhoun, his fear following threats that were made, and his claim that Calhoun attacked him. However, the jury simply rejected the contention that Causey acted in self-defense because testimony established that at the time of the incident, Calhoun was unarmed, Causey chased and stabbed Calhoun repeatedly while Calhoun was on the floor of the facility.

Therefore, we find that this assignment of error lacks merit.

Assignment of Error 3: Authentication of Video Evidence

By his third assignment of error on appeal, Causey argues that the video surveillance of the altercation was 15 minutes in length; however, he argues that the State only showed 30 seconds of the footage during trial. Causey asserts that this redacted clip showed the altercation out of context, failed to show the jury the physical confrontation that occurred prior and only showed the most damaging portion of the incident.

Causey further asserts that while the portion of the video introduced came from Foster Farms, it was not the complete and unaltered video of the

incident. Causey contends that the video played during trial was a recording of the video, rather than the video itself. Causey argues that the State did not meet its burden of showing that the surveillance video, in this altered state, was properly authenticated. Given this, Causey maintains that the use of the unauthenticated, altered video, which “permeated the trial” prevented him from having a fair trial because the jury was unable to observe the entire altercation, and was, therefore, prevented from giving fair consideration of his claim of self-defense.

La. C.E. art. 901(A) provides that “[t]he requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims.” Further, Paragraph B of art. 901 provides examples of authentication or identification conforming with the requirements of the article. The first example given is testimony by a witness with knowledge that a matter is what it is claimed to be. Absent a clear abuse of discretion, a trial judge’s determinations concerning relevancy and admissibility should not be overturned. *State v. Morehead, supra*; *State v. Cosey*, 97-2020 (La. 11/28/00), 779 So. 2d 675.

In brief, Causey argues that the State played and introduced the video to the jury for the first time at the conclusion of Dr. Peretti’s testimony, to which defense counsel objected to the authenticity of the video and noted that the video was a recording of a recording. Causey argues that the trial court ruled that the objection was “too late” and allowed the video to be played for the jury. The record, however, reflects that the State played and then moved to publish the video for the jury before defense counsel lodged its objection as to the video being a recording of a recording.

As the trial court correctly noted, the video, labeled as “S-1,” had already been entered into evidence during the direct examination of Barton, with the caveat that only the video of the incident be entered into evidence. As it concerns the authentication of the surveillance video, Det. Bryan and Det. Roberts, in the absence of Leslie Lastor, a supervisor of Foster Farms who showed officers the video who could not be located, testified they retrieved the surveillance recordings and provided firsthand descriptions of what was captured on the recording. The detectives also addressed the existence of additional cameras in the facility on cross-examination. Moreover, Barton testified that he reviewed the video, provided a complete copy of the video to the detectives, and stated that he could not edit or alter the video in any way.

Under these circumstances, we conclude that the videos and photos were properly authenticated through the testimony of a witness with knowledge pursuant to La. C.E. art. 901(B)(1). The trial court did not abuse its discretion in admitting them into evidence.

Causey also argues on appeal that under the rule of completeness, the State should have introduced the full video, rather than using a segmented portion. We note that Det. Roberts was cross-examined by defense counsel as to this issue during the evidentiary hearing. Det. Roberts provided that the roughly 30-second clip was the only video he had been provided and was unaware of any other, longer video. Det. Roberts maintained that the video, to his knowledge, was unedited and had not been altered in any way. Defense counsel was aware the State intended to introduce this clip into evidence during trial, and at no point during the hearing did counsel object to the completeness or reliability of the video.

We cannot agree with Causey that the jury was misled to believe that this video was the only piece of evidence from which the jury could evaluate the matter before it. In addition to the video, the jury also heard testimony from Causey, Jones, and Brown, about the ongoing dispute with Calhoun. The jury also heard Causey's testimony that Calhoun started a physical altercation with him, which is reflected in the jury's verdict of manslaughter such that any error of the introduction of the video was harmless error. Accordingly, we find this assignment of error lacks merit.

Assignment of Error 4: Excessive Sentence

Finally, Causey argues that his consecutive sentences of 40 years at hard labor for count one, and five years at hard labor for count two were excessive. Causey argues that not only did the trial court fail to consider any mitigating circumstances in sentencing, but that he was given the maximum sentence for this offense. Causey argues that his sentence is grossly out of proportion to the offense given that he was provoked and acted in self-defense.

We note that no motion to reconsider sentence was filed and no objection to the consecutive nature of the sentences was lodged. Therefore, Causey is limited to a bare claim of constitutional excessiveness. *State v. Hays*, 56,782 (La. App. 2 Cir. 2/25/26), 430 So. 3d 1277; *State v. Mims*, 619 So. 2d 1059 (La. 1993). A sentence violates La. Const. art. I, § 20, if it is grossly out of proportion to the seriousness of the offense or nothing more than a purposeless and needless infliction of pain and suffering. *State v. Kennon*, 19-0998 (La. 9/1/20), 340 So. 3d 881; *State v. Johnson*, 97-1906 (La. 3/4/98), 709 So. 2d 672; *State v. Dorthey*, 623 So. 2d 1276 (La. 1993);

State v. Bonanno, 384 So. 2d 355 (La. 1980); *State v. Bell*, 53,712 (La. App. 2 Cir. 1/13/21), 310 So. 3d 307.

A sentence is considered grossly disproportionate if, when the crime and punishment are viewed in light of the harm done to society, it shocks the sense of justice. *State v. Weaver*, 01-0467 (La. 1/15/02), 805 So. 2d 166; *State v. Scott*, 50,920 (La. App. 2 Cir. 11/16/16), 209 So. 3d 248, *writ denied*, 17-0353 (La. 11/13/17), 229 So. 3d 478; *State v. Modisette*, 50,846 (La. App. 2 Cir. 9/28/16), 207 So. 3d 1108. As a general rule, maximum or near-maximum sentences are reserved for the worst offenders and the worst offenses. *State v. Cozzetto*, 07-2031 (La. 2/15/08), 974 So. 2d 665; *State v. Gibson*, 54,400 (La. App. 2 Cir. 5/25/22), 338 So. 3d 1260, *writ denied*, 22-00978 (La. 3/7/23), 356 So. 3d 1053.

Trial courts have wide discretion in the imposition of sentences within the statutory limits, and such sentences should not be set aside as excessive in the absence of a manifest abuse of that discretion. *State v. Williams*, 03-3514 (La. 12/13/04), 893 So. 2d 7. A trial judge is in the best position to consider the aggravating and mitigating circumstances of a particular case, and, therefore, is given broad discretion in sentencing. *State v. Gaines*, 54,383 (La. App. 2 Cir. 2/22/23), 358 So. 3d 194, *writ denied*, 23-00363 (La. 6/21/23), 362 So. 3d 428; *State v. Jeter*, 56,386 (La. App. 2 Cir. 8/27/25), 419 So. 3d 438. On review, an appellate court does not determine whether another sentence may have been more appropriate, but whether the trial court abused its discretion. *Bell, supra*; *State v. Burns*, 53,920 (La. App. 2 Cir. 6/30/21), 322 So. 3d 928, *writ denied*, 21-01112 (La. 11/23/21), 328 So. 3d 78.

Causey was convicted of manslaughter (count one) and simple escape (count two). With respect to Causey's manslaughter conviction, Causey was exposed to a maximum of 40 years at hard labor. La. R.S. 14:31. Causey's manslaughter conviction was a responsive verdict to his more severe original charge of second degree murder because, as the trial court noted, there was testimony about potential provocation from Calhoun. The jury was free to return a verdict responsive to the charged offense; however, the trial court was also justified in considering the actual conduct established at trial in imposing the sentence. *State v. Haire*, 55,289 (La. App. 2 Cir. 2/28/24), 381 So. 3d 230. In considering the nature of an offense for purposes of sentencing, both the trial court and the reviewing court may assess whether the crime for which the defendant has been convicted adequately describes his conduct when the conviction is for a lesser included responsive verdict to the crime charged. *Id.*; *State v. Gaines*, 52,536 (La. App. 2 Cir. 2/27/19), 266 So. 3d 948, *writ denied*, 19-00773 (La. 9/17/19), 279 So. 3d 379.

During sentencing, the trial court acknowledged that while Causey may have been provoked, Causey nevertheless pursued Calhoun, who was unarmed, with a knife in hand, and proceeded to stab Calhoun multiple times while Calhoun was on the floor. Moreover, the trial court noted that Causey then fled the area and the state, evading officers for approximately nine months before his eventual arrest. Further, the trial court provided extensive review of the factors enumerated under La. C. Cr. P. art. 894.1, though it is not an issue on review. The trial court enumerated several aggravating factors, and acknowledged the mitigating factor of provocation, noting that Causey could have been convicted of second degree murder based on the evidence presented.

We agree. Causey benefited from the jury's responsive verdict of manslaughter. The fact that evidence might have supported a verdict of second degree murder is an appropriate sentencing consideration when the defendant has been convicted of the lesser offense of manslaughter. *State v. White*, 48,788 (La. App. 2 Cir. 2/26/14), 136 So. 3d 280, *writ denied*, 14-0603 (La. 10/24/14), 151 So. 3d 599. Although Causey received a maximum sentence for manslaughter, the fact that he could have been subject to a much greater sentence for second degree murder is supportive of the sentence.

With respect to Causey's simple escape conviction, this Court notes that during a recitation of the facts during sentencing, the trial court stated that at the time Causey committed the offenses, he was on a work release program. However, the trial court sentenced Causey to a maximum sentence of five years at hard labor. Given that Causey was under a work release program, he should have been sentenced under La. R.S. 14:110(B)(1), which provides a sentencing range of six months to a year of imprisonment with or without hard labor.

La. C. Cr. P. art. 882(A) provides that an illegal sentence may be corrected at any time by an appellate court on review, despite the failure of either party to raise the issue. *State v. Thomas*, 55,579 (La. App. 2 Cir. 2/28/24), 381 So. 3d 892. Further, the appellate court may notice sentencing errors as error patent. *State v. Williams*, 00-1725 (La. 11/28/01), 800 So. 2d 790. While this Court is not required to take such action in this matter, however, and in this Court's discretion, we vacate Brown's sentence and remand this matter to the trial court to impose sentencing pursuant to the requirements of La. R.S. 14:110(B)(1).

CONCLUSION

For the foregoing reasons, Causey's convictions are affirmed.

Causey's sentence as to count one, manslaughter, is affirmed; his sentence as to count two, simple escape, is vacated and remanded for resentencing in accordance with this opinion.

CONVICTIONS AFFIRMED; SENTENCE AS TO COUNT ONE, AFFIRMED; SENTENCE AS TO COUNT TWO IS VACATED and REMANDED FOR RESENTENCING.